



Image AF/1617 Image

Atty. Docket No. A36107-A-PCT-USA-A-A-A(074973.0118)  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : David J. Grainger *et al.*  
Serial No. : Continuation of U.S. Serial No. 09/754,775 Examiner : To Be Assigned  
Filed : December 5, 2003 Group Art Unit: To Be Assigned  
For : PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES WITH TAMOXIFEN ANALOGUES

**SUBMISSION OF CERTIFICATE UNDER 37 C.F.R. § 3.73(b) AND REVOCATION AND POWER OF ATTORNEY**

I hereby certify that this paper is being deposited on February 20, 2004 with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

Carmella L. Stephens  
Attorney Name

41,328  
PTO Registration No.

Carmella L. Stephens  
Signature

February 20, 2004  
Date of Signature

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

Applicants submit herewith a Certificate Under 37 C.F.R. § 3.73(b) and a Revocation and Power of Attorney. These documents establish (1) the right of the Assignee to take action in connection with the above-referenced application and (2) the Assignee's authorization for Baker Botts L.L.P. to act on its behalf in connection with the above-referenced application. As

indicated in the Certificate Under 37 C.F.R. § 3.73(b), a copy of the assignment document in the chain of title is attached as Exhibit 1.

Please address all future correspondence to:

Rochelle K. Seide  
Baker Botts L.L.P.  
30 Rockefeller Plaza  
New York, New York 10112

Applicants believe that no fees are due with this communication. In the event that fees are due, the Commissioner is hereby authorized to charge payment of any such fees to Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTT S L.L.P.

Carmella L. Stephens  
Carmella L. Stephens  
Patent Office Reg. No. 41,328  
(212.408.2539)

Rochelle K. Seide  
Patent Office Reg. No. 32,300  
(212.408.2626)

Attorney for Applicants

Enclosures



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : David J. Grainger *et al.*

Serial No. : Continuation of U.S. Serial No. 09/754,775 Examiner : To Be Assigned

Filed : December 5, 2003 Group Art Unit: To Be Assigned

For : PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES WITH TAMOXIFEN ANALOGUES

**REVOCATION AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

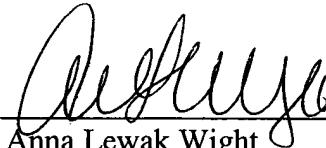
Sir:

As the assignee for the above-captioned invention, we hereby revoke all previous Powers of Attorney granted in this matter and hereby appoint Robert Neuner, Reg. No. 24,316; Bradley B. Geist, Reg. No. 27,551; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Rochelle K. Seide Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Lisa B. Kole, Reg. No. 35,225; Neil P. Sirota, Reg. No. 38,306, Paul A. Ragusa, Reg. No. 38,587, Gary Abelev, Reg. No. 40,479, Paul D. Ackerman, Reg. No. 39,891, Carmella L. Stephens, Reg. No. 41,328, Walter M. Egbert, Reg. No. 37,317, Kimberly J. McGraw, Reg. No. 50,994, Peter J. Shen, Reg. No. 52,217 and Michelle LeCointe, Reg. No. 46,861 of the firm of BAKER BOTTS L.L.P., 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute the above-captioned application and to transact all business connected therewith.

Please address all future correspondence to:

Rochelle K. Seide  
Baker Botts L.L.P.  
30 Rockefeller Plaza  
New York, New York 10112

Dated: Jan 22, 04

By:   
Name: Anna Lewak Wight  
Title: Vice President, Legal

Assignee: NeoRx Corporation



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : David J. Grainger *et al.*  
 Serial No. : Continuation of U.S. Examiner : To Be Assigned  
 Serial No. 09/754,775  
 Filed : December 5, 2003 Group Art Unit: To Be Assigned  
 For : PREVENTION AND TREATMENT OF CARDIOVASCULAR  
 PATHOLOGIES WITH TAMOXIFEN ANALOGUES

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

NeoRx Corporation certifies that it is the assignee of the entire right, title, and interest in the above-captioned patent application by virtue of series of assignments from the inventors to NeoRx Corporation according to the following chain of title:

1. From: David J. Grainger  
To: NeoRx Corporation
2. From: James C. Metcalfe  
To: NeoRx Corporation
3. From: Lawrence L. Kunz  
To: NeoRx Corporation
4. From: Robert W. Schroff  
To: NeoRx Corporation

A copy of the assignment document in the chain of title is attached as Exhibit 1. The assignment was recorded in the U.S. Patent & Trademark Office on September 8, 1998 at reel 9434, frame 0042.

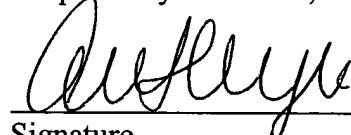
The undersigned has reviewed the assignment and, to the best of the undersigned's knowledge and belief, title of the above-captioned patent application is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 9/7/04

Respectfully submitted,



Signature

Anna Lewak Wight

Name

Vice President

Title

## ASSIGNMENT

WHEREAS, WE, David J. Grainger, residing at 9 St. John's Street, Duxford, Cambridge CB2 4RA, Great Britain, and James C. Metcalfe, residing at 20 Luard Road, Cambridge CB2 2PJ, Great Britain, and Lawrence L. Kunz, residing at 2310 - 223rd Court, N.E., Redmond, WA 98053, and Robert W. Schroff, residing at 7306 164th Place S.W., Edmonds, WA 98026, made certain new and useful inventions and improvements for which We filed an application for Letters Patent of the United States on December 5, 1997, which application was assigned U.S. patent application serial number 08/973,570, and is entitled PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES.

AND WHEREAS, NeoRx Corporation, a corporation organized and existing under and by virtue of the laws of the State of Washington, and having an office and place of business at 410 West Harrison, Seattle, WA 98119, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said

ASSIGNMENT  
Docket No.: 295.009US2  
Serial No.: 08/973,570  
Filing Date: December 5, 1997  
Page 2 of 3

Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 19<sup>th</sup> day of August, 1998.

David J. Grainger  
\_\_\_\_\_  
D. Mosedale  
\_\_\_\_\_

Witnessed by: DAVID MOSEDALE

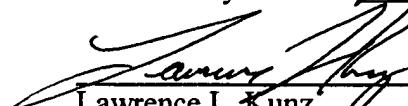
---

IN TESTIMONY WHEREOF, I have hereunto set my hand this 21 day of August, 1998.

J.C. Metcalfe  
\_\_\_\_\_  
James C. Metcalfe  
P. D. Ellis  
\_\_\_\_\_  
Witnessed by:  
P. D. ELLIS

ASSIGNMENT  
Docket No.: 295.009US2  
Serial No.: 08/973,570  
Filing Date: December 5, 1997  
Page 3 of 3

IN TESTIMONY WHEREOF, I have hereunto set my hand this 26 day of August, 1998.

  
Lawrence L. Kunz

STATE OF Washington)  
ss.  
COUNTY OF King)

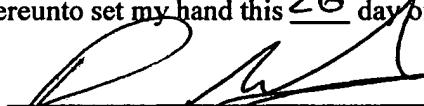
On this 26 day of August, 1998, before me personally appeared Lawrence L. Kunz to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

  
Jennifer R. Belland

Notary Public

My commission expires 11-11-01

IN TESTIMONY WHEREOF, I have hereunto set my hand this 26 day of August, 1998.

  
Robert W. Schroff

STATE OF Washington)  
ss.  
COUNTY OF King)

On this 26 day of August, 1998, before me personally appeared Robert W. Schroff to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

  
Jennifer R. Belland

Notary Public

My commission expires 11-11-01